

Made a Harvey, 12/16/06

United States District Court

WESTERN

DISTRICT OF

OKLAHOMA

FILED

DEC 16 2006

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY SK DEPUTY

UNITED STATES OF AMERICA

V.

NEIL JASON WILFONG,

CRIMINAL COMPLAINT

CASE NUMBER: M-06 **254**-AR

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 15, 2006, in the Western District of Oklahoma, the defendant,

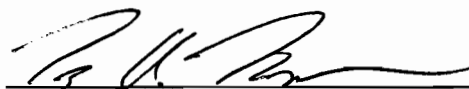
through the use of a telephone, willfully made a threat and maliciously conveyed false information knowing it to be false to Tinker Air Force Base concerning an attempt and an alleged attempt to be made to kill, injure, and intimidate individuals and unlawfully to damage and destroy a building by means of an explosive,

in violation of Title 18, United States Code, Section 844(e).

I further state that I am a(n) Special Agent with the Federal Bureau of Investigation, and that this Complaint is based on the following facts:

See attached Affidavit of Special Agent Ty A. Thomas, which is incorporated and made a part hereof by reference.

Continued on the attached sheet and made a part hereof: X Yes No

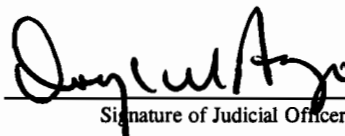


Signature of Complainant
TY A. THOMAS
Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence, on this 16th day of December 2006, at Oklahoma City, Oklahoma. at 9:10/Am. DWA

DOYLE W. ARGO
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer



Signature of Judicial Officer

AFFIDAVIT

I, TY A. THOMAS, being duly sworn, depose and say:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) within the meaning of Title 18, United States Code Section 3052, and as such, am an officer of the United States who is authorized to investigate violations of the laws of the United States and to execute warrants issued under the authority of the United States. I began training at the FBI Academy at Quantico, Virginia, in May 2006. I have been a Special Agent with the FBI since September 2006. I graduated from the FBI Academy in August 2006. Since that time, I have conducted investigations involving international and domestic terrorism matters. I have experience debriefing confidential sources and witnesses. Moreover, at the FBI Academy, I received training in advanced interview and interrogation techniques.

2. This Affidavit is submitted in support of a complaint against Neil Jason Wilfong ("Wilfong"), a white male, born July 28, 1971. As will be shown herein, your Affiant submits there is probable cause to believe that on or about December 15, 2006, Wilfong committed a criminal act in violation of Title 18, United States Code Section 844(e), that is willfully making a telephone bomb threat. Specifically, on the morning of December 15, 2006, Wilfong used a telephone facility to make a bomb threat against the Tinker Air Force Base.

3. The information contained in this Affidavit is based upon my personal participation in this investigation, as well as information that I obtained from my conversations with other agents of the FBI, Task Force Officers (TFO), federal and local law enforcement officers, and civilian witnesses. This Affidavit is being submitted for the limited purpose of presenting facts which support probable cause to believe Wilfong committed the violation alleged herein. As such, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only the facts that I believe are necessary to establish probable cause. Those facts are as follows:

4. On December ¹⁵ 8, 2006, at approximately 7:55 a.m., a male placed a call to telephone number (405) 734-4689, which is an office telephone in the 3001 Building at Tinker Air Force Base (TAFB). This office is located in the area where Wilfong's mother, Francis Ferriera ("Ferriera"), is employed. A receptionist answered the telephone call. The male asked to

speak with Ms. Ferriera. The receptionist told him Ferriera was not available. Wilfong stated that it was good she was not there because there is a bomb in the building. The receptionist immediately contacted the TAFB Security Forces Office of Investigation (SFOI) to report the bomb threat. The 3001 Building was evacuated and the bomb K-9 unit was sent in to search the building. No bomb was located on the premises.

5. TAFB SFOI interviewed Ferreira and learned of Wilfong's brother, Eric Wilfong ("Eric"). Wilfong has felony charges pending against him for assaulting Eric. Ferreira also told TAFB SFOI that Wilfong had a girlfriend named Geanie Barr ("Barr"). Per Ferreira, Wilfong has been living with Barr at 12330 S. Green Lea Chase, Oklahoma City, Oklahoma. When asked about the call, Ferreira stated that it sounded like something Wilfong would say. She further stated that Wilfong had attempted to call her all morning, but she refused to accept his calls.

6. Following their interview with Ferreira, TAFB SFOI attempted to call Wilfong's telephone number. However, the calls to that number had all been forwarded to a local Pizza Hut.

7. TAFB SFOI telephoned Barr. Barr stated that she and Wilfong were no longer together as of three days ago. Barr also confirmed the address where she and Wilfong had been living.

8. Ferreira also provided TAFB SFOI with Wilfong's cellular telephone number, (405) 664-7465. A Cingular Wireless telephone usage report confirmed that this was the telephone used to call the TAFB receptionist at 7:55 a.m. The report also shows that at 8:08 a.m. Wilfong forward his calls to (405)270-0000, which is a general number for Pizza Hut.

9. At around 12:00 p.m., Wilfong telephoned Ferreira and told her he was at 12330 S. Green Lea Chase. Ferreira provided the information to TAFB SFOI. TAFB SFOI notified Oklahoma City Police Department (OCPD) and the FBI. TAFB SFOI followed OCPD to the address. TAFB SFOI indicated that they spotted Wilfong as he was leaving the subdivision in a White Chevrolet S-10 with Oklahoma License Plate AMJ283. As he was driving, TAFB SFOI observed Wilfong ducking his head to avoid being seen by the approaching law enforcement vehicles. Officers with OCPD arrested Wilfong shortly thereafter. FBI agents arrived at the scene while OCPD was in the process of making the arrest. According to OCPD officers, Wilfong was using his cellular

telephone, the telephone used to make the threat against Tinker Air Force Base, as they made the arrest.

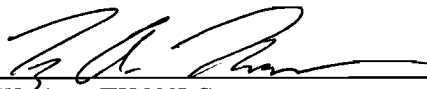
10. While on the scene, I asked Wilfong for verbal consent to examine his cellular telephone. He consented. During my examination of the telephone, I found a recent call listing with the telephone number (405) 734-4689, which is the telephone number at TAFB where the bomb threat was placed.

11. Following his arrest, Wilfong was transported to the Oklahoma City FBI Field Office by OCPD, TAFB SFOI, and FBI. FBI Special Agent Jeff Anderson, TAFB SFOI Dusty L. Maugh, and I were present during Wilfong's interview. After being advised of his Miranda rights, Wilfong signed a standard Advice of Rights waiver. I led the interview questioning. During the interview, Wilfong explained that he was frustrated because his mother was not accepting his calls and lacked judgment when he called Tinker Air Force Base and made the bomb threat. Wilfong memorialized verbal statements in a written confession at 4:04 p.m.

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dwa

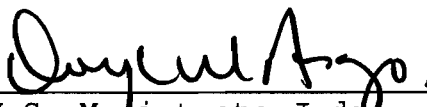
12. Based upon the foregoing facts, I allege that there is probable cause to believe Wilfong violated 18 U.S.C. 844(e).

Further Affiant sayeth not.



TY A. THOMAS
Special Agent
Federal Bureau of Investigation
Oklahoma City, Oklahoma

Subscribed and sworn to before me this 16 day of December,
2006.



U.S. Magistrate Judge
DOYLE W. ARGO